TACOMA POLICE DEPARTMENT
Intra-Departmental Memorandum

TO: Michael Ake
Interim Chief of Police

FROM: Temporary Lieutenant Gary J. Roberts GJR **DATE**: November 11, 2021
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 21COM-0028

Complainant:
Mr. Scott D. Nicholson
4323 South 10th Street
Tacoma, WA 98405
425.234.2185

On March 25, 2021, Mr. Scott Nicholson contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 21COM-0028.

Allegation(s): Courtesy

COMPLAINT SUMMARY
Mr. Nicholson stated the officer was rude and unprofessional during a telephone conversation and hung up on him.

INVESTIGATION
The complaint was forwarded to the Operations Bureau, which reported the following:

Mr. Nicholson sent in a written complaint via email to Internal Affairs. He wrote that he called the Police Operations Desk to ask how he might obtain a copy of a police report about the hit and run damage done to his car. He claimed Officer Anderson hung up on him twice and it was the third callback before Officer Anderson would answer his question. Included in Mr. Nicholson's email were other comments about the driver being reportedly drunk and was only ticketed and released due to COVID. Unrelated to his hit and run collision, he made additional comments about an incident that occurred in January 2021 involving a Tacoma Police Officer.

In review of the written hit and run report, the on-scene officer was unable to detect any intoxicants on the driver. The driver was arrested and released due to the jail booking restrictions. Mr. Nicholson is the legal owner of one of the vehicles damaged in the accident.

Officer Anderson was interviewed regarding this complaint as he was working that day on the Operations Desk. Officer Anderson stated that when Mr. Nicholson called, he provided the accident number and expressed frustrations about the driver of the accident not being booked into jail after hitting his girlfriend's car. Officer Anderson explained that due to COVID restrictions, the jail would not accept the driver. Mr. Nicholson became irate and began yelling at him about how individuals were arrested during another incident involving a Tacoma Police Officer that happened downtown in

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January. Officer Anderson advised he was not going to discuss that incident and asked if he had any further questions about the hit and run accident. Mr. Nicholson began screaming about the officer in the January incident. Officer Anderson told Mr. Nicholson that if he was not going to ask any further questions about the hit and run accident, Officer Anderson was going to end the conversation. Mr. Nicholson continued to yell and appeared to be highly agitated. In an attempt to de-escalate the situation, he elected to end the conversation by telling Mr. Nicholson he was hanging up. Mr. Nicholson called back and immediately began yelling at Officer Anderson about the other officer. Officer Anderson said he was not going to speak about that incident and asked several times if Mr. Nicholson had any further questions about the hit and run accident. As Mr. Nicholson continued to scream on the phone, Officer Anderson told Mr. Nicholson he was going to end the phone conversation, which he did. Mr. Nicholson called back again, and Officer Anderson asked him if he had any questions regarding the hit and run. Mr. Nicholson stopped yelling and inquired how he could obtain a copy of the hit and run report. Officer Anderson said he provided the telephone numbers for South Sound 911 (SS911) and the public records request information. Mr. Nicholson requested his name and badge number, which was provided. Officer Anderson asked Mr. Nicholson if he had any further questions. He said he did not. Officer Anderson said they both mutually hung up.

Officer Anderson did not have his body worn camera active as it was a phone contact, and the Operations Desk is a secured area with sensitive law enforcement information.

Multiple attempts were made to re-contact Mr. Nicholson to follow up with his complaint. The residential and cell phone numbers listed for Mr. Nicholson resulted in a recording that advised the numbers were disconnected or no longer in service.

FINDINGS

An investigation into this complaint was conducted to include a review of the complaint email, review of the police report, and interview of Officer Anderson. The investigation was reviewed by the officer's chain of command; and the allegation of Courtesy against the involved officer is concluded as **Exonerated,** which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.

CWSSP FOR

Michael Ake
Interim Chief of Police

12/14/21
Date

/man

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